

Appl. No. 10/550,542
Amdt. dated 18 March 2008
Reply to Office action of 7 March 2008

Amendments to the Drawings:

The attached sheet of drawings includes changes to Fig. 14. This sheet replaces the original sheet including Fig. 14. In Figure 14, reference numeral "8" which is not mentioned in the description with regard to Figure 14 has been deleted.

Attachment: Replacement Sheet and Annotated Sheet Showing Changes

REMARKS/ARGUMENTS

In the specification, the sentence that begins of page 21, line 19 has been amended to correct a minor editorial problem relating to a reference numeral in figure 10 in compliance with 37 CFR 1.121(b). Specifically, reference numeral "8" has been added such that the storage compartment access doors in Figure 10 are now referenced as "storage compartment access doors 8."

Figure 14 has been amended in compliance with 37 CFR 1.121(d) in that the reference numeral "8" has been deleted.

The combination of the above amendments, namely the addition of reference numeral "8" to the sentence that begins of page 21, line 19 and the deletion of reference numeral "8" from Figure 14 answer the objection to the drawing for failing to comply with 37 CFR 1.84(p)(5).

Also in the specification, a new Abstract has been provided. The new Abstract is a paraphrased version of new independent claim 32.

In the Claims

Claims 1-20 remain in this application. Claims 1-20 have been canceled. New claims 21-38 are added.

§ 103 Rejections

The Examiner has rejected claims 1-20 under U.S.C. 103 (a) as being as being unpatentable over Goodman (6,021,626) together with Chiomas (5,246,139) alone or in combination with Deal(2004/0128025). The Examiner's rejection is traversed.

The Goodman dispenser is merely a standard canned drink dispenser. Applicant concurs with the Examiner's apparent understanding that in such a dispenser the cans are stacked in a single tier of vertical compartments such that the bottom most can is dispensed. The Examiner, therefore, has cited Chiomas against

the retrieval of the top most article of the stack feature and Deal against the user credit tracking system feature of the instant application.

Applicant points out that Chiromas discloses a dispensing device having a picker that is suspended from an x-y carriage and lowered into a freezer having a single support floor onto which the product cartridges are deployed. That is to say, the Chiromas device provides a single tier of compartments in which the products are stacked. Applicant asserts that there is neither hint nor suggestion in either Chiromas or Goodman to provide a multi-tiered device.

This is in contrast to the teachings of the present invention, which clearly teaches a multi-tiered embodiment as illustrated in Figures 2-6 and described in regard to those Figures. Specifically, on page 16, line 15,

“...The storage compartments 120 are arranged in two tiers...”

(emphasis added)

on page 17, lines 1-7,

“...The two tiered compartment arrangement allows the storage height of the cabinet to be divided, thereby providing stability for the stacks of articles while still utilizing substantially the full height of the cabinet for article storage. It should be noted that the principles of the present invention do not limit the configuration of this embodiment to the use of two tiers of storage compartments 120, and that substantially any number of storage compartments 120, as few as one or as many as considered appropriate, may be used...” (emphasis added)

and on page 20, lines 4-7,

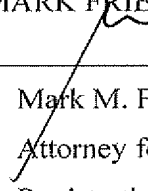
“...In case of multi-tiered embodiments, such direction may include a path that is outside of the path of the arms of any lower article retrieval systems, which may be deployed between the tier in which the article was stored and the opening of the article dispensing outlet...” (emphasis added)

While continuing to traverse the Examiner's rejections, the Applicant, in order to expedite the prosecution of the instant application, has chosen to present new

claims 21-38 that are directed toward the feature of storage compartments arranged in a plurality of tiers, which is clearly distinguished over the cited prior art.

The Applicant believes that the new claims 21-38 and the arguments presented herein completely overcome the Examiner's rejections of the claims on § 103(a) grounds.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,
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